

CLASSIFICATION OFFICE DECISION

Title of publication: GTS_Lesha-Tams_042L.jpg

Other known title(s): Not stated

OFLC ref: 1100548.012

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: the High Court at Wellington

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 29 June 2011

Date of direction to issue a label: No direction to issue a label has been issued

Summary of reasons for decision:

The picture depicts two naked teenage boys posing in a sexually explicit manner. The publication encourages a sexual interest in young persons. It also advances the idea that boys are ready for adult forms of sexual activity. As such it promotes and supports the exploitation of young persons for sexual purposes, and is deemed objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act).

The classification of this publication interferes with the freedom of expression, as set out in section 14 of the New Zealand Bill of Rights Act 1990. This outcome is consistent, however, with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of young persons for sexual purposes.